

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
Connect America Fund:)	
Performance Measures for Connect)	WC Docket No. 10-90
America High-Cost Universal Service)	DA 17-1085
Support Recipients)	

**COMMENTS OF THE ALASKA TELEPHONE ASSOCIATION
ON PERFORMANCE MEASURES FOR CONNECT AMERICA
HIGH-COST UNIVERSAL SERVICE SUPPORT RECIPIENTS**

The Alaska Telephone Association (“ATA”) files comments in this proceeding pursuant to the Commission’s Public Notice DA 17-1085 released November 6, 2017 which seeks comment on how to measure performance for recipients of high-cost support. ATA submits comments regarding Internet core peering interconnection points (IXPs) specific to Alaska, measurement of broadband service reliant on satellite middle mile, and an appropriate compliance regime.

In the Public Notice the Commission proposes to measure performance between the customer premises and a Commission-designated IXP.¹ The location of the Commission-designated IXPs is critical to Alaska carriers’ ability to accurately measure performance of their networks. In the Public Notice issued October 16, 2014, IXP locations were proposed to be the same as those identified for purposes of latency testing in the Phase II Price Cap Service Obligation Order (Phase II Order).² The Phase II Order defined IXP locations in major cities in the Lower ‘48 states, but also defines testing in noncontiguous areas such as Alaska as being “from a customer location to a point at which traffic is consolidated for transport to an Internet exchange point in the continental United States.”³ It is important that this noncontiguous definition be preserved because it will allow Alaska’s carriers providing service dependent on fiber or microwave middle mile facilities to accurately measure the performance of their networks, without introducing network factors beyond the state and largely outside their control.

¹ See *Comment Sought on Performance Measures for Connect America High-Cost Universal Service Support Recipients*, DA 17-1085, released November 6, 2017, at paragraphs 3 and 9.

² See *Wireline Competition Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology See Comment on Proposed Methodology for Connect America High-Cost Universal Service Support Recipients to Measure and Report Speed and Latency Performance to Fixed Locations*, DA 14-1499, released October 16, 2014, at footnote 11.

³ See *Phase II Price Cap Service Obligation Order*, released October 31, 2013, at footnote 63.

The Phase II Order notes that Alaska presents unique circumstances and also states that, “Excluding customers served by satellite from testing calculations therefore would be permissible in Alaska.”⁴ The Commission has already appropriately recognized the cost and performance limitations of satellite middle mile by reducing the speeds required under broadband public interest obligations.⁵ The Commission has also excluded such service from usage requirements.⁶ Just as the acknowledged limitations of satellite middle mile make adjustment to speed and usage requirements appropriate, the same limitations should exclude service provided via satellite middle mile from measurement. This reasonable accommodation, as suggested in the Phase II Order, is important and should be preserved in final performance measures.

ATA does not support the compliance regime proposed by USTelecom and offered for comment in the current Public Notice. This regime takes an unnecessarily punitive approach of withholding universal service support for performance falling below certain levels. Alaska’s carriers serve small populations scattered across a vast, extremely remote geography. Performance testing could be impacted by a relatively small group of customers or a discrete service area. Penalizing a gap in performance by withholding funds will only delay improvement in service and risks actually degrading service through lack of funds. Instead, the Commission should consider a reporting requirement similar to that adopted regarding broadband reasonable comparability benchmarks where a provider which cannot meet the

⁴ See *Phase II Price Cap Service Obligation Order*, released October 31, 2013, at footnote 84.

⁵ See *Transformation Order* at para. 101.

⁶ See *Wireline Competition Bureau Announces Results of 2017 Urban Rate Survey for Fixed Voice and Broadband Services, Posting of Survey Data and Explanatory Notes, and Required Minimum Usage Allowance*, released February 14, 2017, at footnote 11.

benchmark provides an explanation but does not automatically incur a withholding.⁷ This would allow the Commission to identify persistent sub-standard performance without the risk of negatively impacting service through reductions in essential universal service support.

ATA appreciates the Commission's recognition of Alaska's unique circumstances and challenges throughout the Reform process. We respectfully ask that the Commission will here also adopt measures appropriate to Alaska which will allow accurate measurement of network performance without undue risk to critical universal service funds.

Respectfully submitted,

Via ECFS 12/6/2017

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⁷ See *Wireline Competition Bureau Announces Voice and Broadband Reasonable Comparability benchmarks for Alaska Plan Rate-of-Return Carriers and Alaska Communications Systems and Confirms Minimum Usage Allowance Requirements*, released April 11, 2017, page 2, "To the extent that a carrier cannot certify in its FCC Form 481 to meeting the benchmark, it will provide an explanation.